

The Little Traverse Bay Bands of Odawa Indians Tribal Council  
Tribal Court Room 1150 Bayview, Petoskey, MI 49770  
June 23, 2002  
9:15 am, smudging  
9:30 am

Executive Session: yes

Call to order: Meeting was called to order at 9:39 am

Council present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,  
Secretary Fred Harrington Jr., Treasurer Alice Yellowbank, Councilor Janet Shomin,  
Councilor Rita Shananaquet, Councilor Beatrice A. Law

Council absent: none

Staff present: See attached list

Guests: See attached list

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Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, that all Tribal Council will address one another while in sessions, in this respectful manner, Tribal Chairperson shall be addressed as "Chairman" or "Madam Chair" and that Tribal Councilors shall be addressed as "Councilor" with last name to follow.

Vote: 3 Yes, 4 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Secretary Fred Harrington Jr., Vice-Chairman George Anthony), 0 Abstained, 0 Absent  
Motion failed

Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank, to adopt the agenda with additions for June 23, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to approve the minutes of June, 2, 2002 as corrected.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to accept the Tribal Administrator's report as read by the Chairman for June 23, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Janet Shomin, to schedule a Tribal Council work session on July 6, 2002 to review and modify if necessary the 2003 Tribal Governmental budgets.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet, to deny the request for funds for the Grand Valley American Indian Lodge 41<sup>st</sup> Annual Pow-Wow on September 7 & 8, 2002.

Vote: 5 Yes, 2 No (Secretary Fred Harrington Jr., Councilor Beatrice A. Law), 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to change the Hathaway road signage to recognize the current LTBB Tribal Council members to come from the facilities budget.

Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Vice-Chairman George Anthony), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, to approve the proposal submitted by DEM Architect Tony Esson, to develop corrective action plan for Tribal Housing, Develop design and documentation associated with corrective action, assist with the bidding process for hiring a contractor implementing approved corrective action provided, DEM Architects utilizes an engineering firm authorized by the Tribal Council to come from the Enterprise Fund, Economic Development, Capital Improvements line item.

Vote: 5 Yes, 2 No (Councilor Rita Shananaquet, Vice-Chairman George Anthony), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law, to approve reimbursing the Administration Budget \$1,280.00 for expenses incurred to conduct the Tribal Community meeting May 4, 2002. Funds to come from the Enterprise Fund, Cultural line item.

Motion died due to lack of support

Motion made by Councilor Beatrice A. Law, to approve reimbursing the Education Budget.

Motion died due to lack of support

Motion made by Councilor Beatrice A. Law, to approve reimbursing the Education Budget \$2,250.00 for the cost of the meal served at the Native American Day held at the North Central Michigan College May 2, 2002. Funds to come from the Enterprise Fund, Cultural line item.

Motion died due to lack of support.

11:34 am, recessed.

11:44 am, reconvened.

11:45 am, Public Comment, Francie Loper

11:47 am, Public Comment closed

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to accept the Gaming Administration's verbal and written report as presented by the General Manager, Ron Olson.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

12:57 pm, recessed for lunch until 2:30 pm.

2:32 pm, reconvened.

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to accept the Chairman's verbal and written report for June 23, 2002.

Vote: 5 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve the Small Grant Request from LeRoy Shomin and Juan Martell to have a Anishnaabek Bowling Tournament for \$3,835.00 to come from the Enterprise Fund, Donations, Small Grants line item.

Vote: 3 Yes, 4 No (Chairman Gerald V. Chingwa, Treasurer Alice Yellowbank, Councilor Beatrice A. Law, Vice-Chairman George Anthony), 0 Abstained, 0 Absent

Motion failed

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve the Small Grant Request from Aaron Otto to fund Anishnabe Ikido's Mission Park Theater project for \$3,800.00, to come from the Enterprise Fund, Donations, Small Grants line item.

Vote: 3 Yes, 4 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Chairman Gerald V. Chingwa, Vice-Chairman George Anthony), 0 Abstained, 0 Absent

Motion failed

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to postpone action on the Commissions Boards and Committees Statute pending review of written comments at a work session on July 19, 2002.

Vote: 5 Yes, 2 No (Treasurer Alice Yellowbank, Councilor Beatrice A. Law), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to postpone action on the Commission Boards and Committee policies until the Commission Statute has been passed and to review pending policies at the work session of July 19, 2002.

Vote: 5 Yes, 2 No (Treasurer Alice Yellowbank, Councilor Beatrice A. Law), 0 Abstained, 0 Absent

Motion carried

4:25 pm, public comment, Yvonne Selgat

4:28 pm, public comment closed

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to postpone the Education Statute for consideration of comments until July 19, 2002.

Vote: 6 Yes, 1 No (Councilor Beatrice A. Law), 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Fred Harrington Jr., to postpone action on the Indian Preference Statute for consideration of comments.

Vote: 7 Yes, No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve Resolution # 062302-01 Merrill Lynch Investment.

Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- no, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- no, Councilor Rita Shananaquet- no, Councilor Beatrice A. Law- yes

Vote: 4 Yes, 3 No, 0 Abstained, 0 Absent,

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to approve the May 2, 1996 Historical Role as it was submitted and to include six Tribal Members who where enrolled and whose names where mistakenly left off.

Vote: 3 Yes, 4 No (Vice-Chairman George Anthony, Councilor Rita Shananaquet, Chairman Gerald V. Chingwa, Treasurer Alice Yellowbank), 0 Abstained, 0 Absent

Motion failed

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, to approve Resolution # 062302-02 Loan Authorization, from National City Bank for up to \$4,000,000.00.

Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- yes, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- no, Councilor Rita Shananaquet- no, Councilor Beatrice A. Law- yes

Vote: 5 Yes, 2 No, 0 Abstained, 0 Absent,

Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to post pone action on the Enrollment Statute until the legislative meeting of August 18, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Janet Shomin, to deny the request for cost of food and snacks for Enrollment Training on July 22 & 23, 2002.

Vote: 3 Yes, 4 No (Secretary Fred Harrington Jr., Chairman Gerald V. Chingwa, Councilor Beatrice A. Law, Treasurer Alice Yellowbank), 0 Abstained, 0 Absent  
Motion failed

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to approve the request for cost of food and snacks for Enrollment Training on July 22 & 23, 2002, to come from the Enterprise Fund, Government Operations, Tribal Council Other Expenses line item.

Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Vice-Chairman George Anthony), 0 Abstained, 0 Absent  
Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve the Planning Department proposed Management and Approval policies and procedures for pre-construction and design phase for Victories II.

Vote: 5 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 0 Absent  
Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, to add to the contingency fund \$12,000.00 to add a Tribal Logo in the commons area of the new Administration Building, to come from the Enterprise Fund, Economic Development, Capitol Improvements line item.

Vote: 5 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 0 Absent  
Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve the Inter-Tribal Reciprocal Agreement Regarding Docking Privileges for Beaver Island and authorize the Chairman to sign the agreement.

Vote: 5 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 0 Absent  
Motion carried

6:35 pm, Councilor Rita Shananaquet departed

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to approve the Small Boat Lease (Distribution) Agreement for the LTBB Commercial Small Boat Funding Project via the 2000 Consent Decree Funds and authorize the Chairman to sign the agreements.

Vote: 5 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

6:36 pm, recessed

6:42 pm, reconvened

6:58 pm, Councilor Rita Shananaquet returned

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to approve mandated Roles and Responsibilities training for Tribal Council, all Commissioners, Board Members, and department heads to be conducted by WC Consulting, Inc., stipend, mileage, per diem, and lodging to be paid for attendees. Total cost of \$25,000.00 to be paid from the Enterprise Fund, Governmental Operations, training line item and to modify that budget to increase the training line item by \$25,000.00.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to approve a five hundred dollar payment to the Elders by December 1, 2002  
Motion withdrawn

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to explore and implement a per-capita payment to all Tribal Members by December 1, 2002.

Vote: 3 Yes, 4 No (Treasurer Alice Yellowbank, Councilor Beatrice A. Law, Chairman Gerald V. Chingwa, Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent

Motion failed

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, to explore per-capita possibilities for Tribal Members.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Secretary Fred Harrington Jr., to give a gift to the elders in the amount of \$500.00 by December 1, 2002, to come from the Enterprise Fund, Distributions, distribution line item.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, to place the Waganakising Odawak Statute LTBB Off-Reservation (Ceded Territory) Hunting, Fishing and Gathering, on the Legislative Agenda.

Vote: 3 Yes, 4 No (Secretary Fred Harrington Jr., Vice-Chairman George Anthony, Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 0 Absent

Motion failed

7:53 pm, Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman George Anthony, to begin an executive session.

Vote: 6 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent

Motion carried

7:53 pm, Secretary Fred Harrington Jr. recused

8:16 pm, Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet, to return to open session.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Secretary Fred Harrington Jr.)

Motion carried

8:16 pm, Secretary Fred Harrington Jr. returned

8:17 pm, Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet, to adjourn.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

These minutes have been read and approved as written:

Recorded by:

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Fred Harrington Jr., Tribal Secretary

July 7, 2002

Date